

**TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING  
REJECTION OVER A PENDING SECOND APPLICATION**

Docket Number (Optional)

X-9360

In re Application of: Steiner

Application No.: 10/092,537

Filed: 03/08/2002

For: Improved Boneendon Bone Assembly with Allograft  
Bone Block and Method for Inserting Same

The owner\*, Musculoskeletal Transplant Foundation, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/277,838, filed on 10/23/2002, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

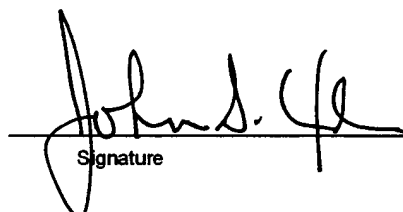
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2. ☒ The undersigned is an attorney or agent of record.

 3/17/2004  
Signature Date

John S. Hale

Typed or printed name

(703) 448-1770 ext. 304

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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